



## Senate

General Assembly

**File No. 106**

February Session, 2000

Substitute Senate Bill No. 381

*Senate, March 17, 2000*

The Committee on Environment reported through SEN. DAILY of the 33<sup>rd</sup> Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***An Act Concerning Transfer Of Commercial Lobster Licenses.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-142a of the general statutes is amended by  
2 adding subsections (i) and (j) as follows:

3 (NEW) (i) Notwithstanding the requirements of this section, on and  
4 after such time as the American Lobster Management Board of the  
5 Marine Fisheries Commission allows for the transfer of lobster trap  
6 tags and prior to July 1, 2002, a commercial fishing license to take  
7 lobster may, upon notice to the commissioner, be transferred to any  
8 person who has not had a commercial fishing license, registration or  
9 vessel permit revoked or suspended, provided the person transferring  
10 the license is (1) an active lobster pot or trawl fisher and (2) has held a  
11 license and landed lobsters in at least three calendar years between  
12 January 1, 1995, and June 8, 1998. The person to whom such license is  
13 transferred shall be limited to the number of pots actively fished by the  
14 person transferring the license as determined by the commissioner in

15 accordance with section 26-157a, as amended.

16 (NEW) (j) The commissioner shall apply to the American Lobster  
17 Management Board of the Marine Fisheries Commission for a  
18 modification of the trap tag system to permit the transfer of lobster  
19 trap tags.

20 Sec. 2. This act shall take effect from its passage.

**ENV Committee Vote:** Yea 23 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Affected Agencies:** Department of Environmental Protection

**Municipal Impact:** None

**Explanation****State Impact:**

Allowing active trawl and lobster trap fisherman to transfer their licenses, under certain circumstances, will have no impact on the workload of the Department of Environmental Protection (DEP) or revenues, since there will be no net increase in the number of licenses issued.

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**OLR Bill Analysis**

sSB 381

**AN ACT CONCERNING TRANSFER OF COMMERCIAL LOBSTER LICENSES.****SUMMARY:**

This bill exempts, under certain conditions, lobster pot (i.e. trap) and trawl fishermen from the moratorium on the sale or transfer of commercial fishing licenses to anyone other than immediate family members. That moratorium is in effect until December 31, 2001.

The exemption takes effect when the Marine Fisheries Commission (apparently the Atlantic States Marine Fisheries Commission (ASMFC)) modifies the lobster trap tag system to allow for the transfer of tags. The bill requires the Department of Environmental Protection (DEP) to apply to the commission for such a modification.

EFFECTIVE DATE: Upon passage

**TRANSFER OF COMMERCIAL FISHING LICENSES*****Trawl and Lobster Trap Fishermen***

Under current law, the DEP is prohibited from issuing commercial fishing licenses until December 31, 2001. The bill exempts trawl and lobster trap fishermen from the moratorium under certain conditions through July 1, 2002 (although this date is after the expiration of the existing moratorium).

Under the bill, the eligible fisherman may not transfer their licenses until the American Lobster Management Board of the ASMFC approves a modification of the lobster trap tag system to allow for the transfer of tags. Under the current trap tag system, lobster fishers are allocated a limited number of traps they may fish and tags for those traps based on the number of traps they actively fished in the past or

the number of traps listed on their license application. The trap allocations may not be transferred to other fishermen. (It appears that trawl fishermen must also wait for the tag system modification even though they do not have trap allocations).

Once the ASMFC modifies the trap tag system, active trawl and lobster trap fishermen may transfer their commercial fishing licenses if they held a license and landed lobster, in at least three of the years from 1995 through June 8, 1998. The person to whom the license is transferred may not fish more traps than the number actively fished by the previous holder.

The bill prohibits them from transferring their license to anyone who has had a commercial fishing license, registration, or vessel permit revoked or suspended in the past.

## **BACKGROUND**

### ***Atlantic States Marine Fisheries***

The federal Atlantic Coastal Cooperative Fisheries Management Act of 1993 requires states to comply with fishery management plans developed by the ASMFC. States that do not comply may face penalties including moratoriums on harvesting the affected fish species.

The ASMFC coast-wide lobster management plan sets a cap on the number of lobster traps to reduce overfishing of lobster in Long Island Sound. It calls for numbered tags to be issued and attached to all pots and traps. The number of tags is capped and the allocation determined based on the number of traps fishermen have historically used or the number listed on their license application.

## **COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 23      Nay 0

